

NOV 25 2013

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

TIMOTHY JASON BOURNE,
Plaintiff,

v.

CUNNINGHAM, ET AL,
Defendant(s).

) Civil Action No. 7:13-cv-00497
)
)

MEMORANDUM OPINION

) By: Glen E. Conrad
) Chief United States District Judge
)

Timothy Jason Bourne, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By order entered October 24, 2013, the court directed plaintiff to submit within 10 days from the date of the order his inmate trust account report for the month of September, 2013. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 10 days have elapsed, and plaintiff has failed to comply with the described conditions because he has not returned the requested financial information. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 22nd day of November, 2013.



Chief United States District Judge